

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

IN RE:
Kenny J. Dingler
Debtor

Kenny J. Dingler
Movant

vs.

MCLP Asset Company, Inc. and Ronda
Winnecour, Esquire, Chapter 13
Trustee,
Respondents

) Case No. 19-20053 GLT
)
) Chapter 13
) Related to Dkt. No. 103
) Hearing: September 6, 2023 at 10 a.m.
)
)
)

FILED
8/18/23 11:11 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

MODIFIED DEFAULT ORDER

AND NOW, this 18th day of August 2023, for the reasons set forth in the Debtor's Motion for approval of the Non-LMP modification of his mortgage loan, the Court finding that the original 2017 loan modification, 20-year mortgage in the original loan modification amount of \$115,000.00, which began on November 1, 2017, and which was to mature on January 1, 2038, with an original variable interest rate not to exceed 8.49% per annum, has now been modified through a non-LMP modification initiated by the lender. The non-LMP loan modification agreement adds the arrears in the amount of \$16,435.75 to the principal for a total unpaid principal balance of \$101,065.40, and modifies the prior adjustable rate, which could not be less than 5.004% and could be as high as 8.49%, to a fixed rate of 6.750%. As a condition of the agreement, the debtor is to pay the regularly scheduled payments of \$650.61, with escrow at \$399.60, for a total monthly payment of \$1050.21 per month, compared to the current payment set forth in the most recent notice of mortgage payment change, filed June 27, 2023, which set forth a new total payment of \$1,101.66, which did not include the arrears payment provided for in the confirmed plan dated October 28, 2020, before the effective

date of the within Non-LMP loan adjustment agreement proposed by the respondent, MCLP Asset Company, Inc. Based upon the foregoing, it is hereby ORDERED, ADJUDGED and DECREED that:

- (1) The final non-LMP loan adjustment agreement between the debtor and MCLP Asset Company, Inc., dated July 14, 2023, and attached to the Motion as Exhibit "2", is hereby approved.
- (2) The Chapter 13 Trustee is authorized to modify the distribution to the above-named Creditor pursuant to the modification. Each Payment shall be made in the amount of \$1,050.21, for the remaining term of the plan; there shall be no payment made on the arrears, which have been added to the principal balance of the loan. The Chapter 13 Trustee shall continue to make distributions in the same amount as the foregoing payment until further Order of Court.
- (3) The Debtor shall file an amended plan within 30 days of this Order
- (4) To the extent necessary, the Debtor shall file updated Schedules I and J within 30 days of this Order.

Prepared by: Mary Bower Sheats, Esq.

DEFAULT ENTRY

Dated: August 18, 2023



Gregory L. T. Monio jah
Chief United States Bankruptcy Judge

Case administrator to serve:
Debtor(s)
Counsel for Debtor(s)
[Counsel for Creditor]
Ronda J. Winnecour, Esq.
Chapter 13 Trustee

In re:
Kenny J. Dingler
Debtor

Case No. 19-20053-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 18, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 20, 2023:

Recip ID	Recipient Name and Address
db	+ Kenny J. Dingler, 510 Independence Street, Perryopolis, PA 15473-9304

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 20, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 18, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor U.S. Bank Trust National Association as Trustee of CVI LCF Mortgage Loan Trust I cwohrlab@ecf.courtdrive.com, cwohrlab@ecf.courtdrive.com
Lisa Cancanon	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company lisac@w-legal.com, Llombardi06@law.du.edu
Mary Bower Sheats	on behalf of Debtor Kenny J. Dingler Mary@mbsheatslaw.com mbsheats@gmail.com;sheats@gubinskylaw.com;g19303@notify.cincompass.com;sheats.maryb123008@notify.bestcase.com
Michelle L. McGowan	on behalf of Creditor MCLP Asset Company Inc. mimcgowan@raslg.com

District/off: 0315-2

User: auto

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Date Rcvd: Aug 18, 2023

Form ID: pdf900

Total Noticed: 1

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 7